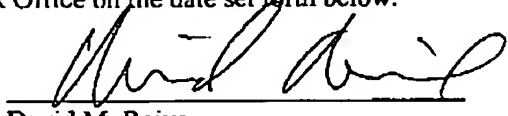


RECEIVED
CENTRAL FAX CENTER

SEP 18 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document and the documents indicated as enclosed herewith are being sent by facsimile transmission to the United States Patent and Trademark Office on the date set forth below.

Date: September 18, 2006
David M. Reive
Registration No. 38,792**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/812,951

Filing Date: March 31, 2004

Applicant: R. Clark Jeffery

Title: Light Fixture Management
System

Examiner: Koyama, Kumiko C.

Attorney's Ref.: 976-4/JLW

AMENDMENTIn response to the Official Action
Dated: April 18, 2006**SENT BY FACSIMILE**Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314
U.S.A.

Dear Sir:

REMARKS

The Examiner has rejected claims 1, 2, 4-7, 9-11, 13-16, and 18 as being unpatentable over McCAsland in view of Lovoi. The applicant respectfully traverses this rejection.

Application No. 10/812,951

- 2 -

September 18, 2006

The applicant notes that the affidavits from skilled workers in the art attesting to the originality and novelty of the present invention previously provided in the response of February 23, 2005 were not addressed in the response of September 21, 2005 or April 18, 2006. However, the applicant submits that the claims recite patentable subject matter even apart from the evidence in these affidavits.

McCasland does not teach a "repair task route"

The applicant respectfully submits that McCasland cannot be characterized as disclosing a "repair task route" such as that recited in the pending claims. Rather, what McCasland teaches is an inspection and maintenance route that is based solely on predefined criteria, and not on a determination, after the inspection points have been identified, that one of the points is in need of repair.

For example, McCasland states:

Module 504 also manages equipment which was flagged as needing further attention in Module 503. These flagged points are visible to supervisor personnel and are designated with specific reasons for being flagged. For example, an equipment item may be denoted as "grease fitting damaged, could not oil." Therefore, the supervisor personnel have a constant work list from which to plan machinery maintenance. Once the task has been completed, the item can be removed from the list. (col. 7, lines 51-59).

But McCasland does not teach how this "constant work list" can be automatically generated. Rather, McCasland teaches that it is the supervisor personnel that must figure out the work list, and must plan machinery maintenance! Thus, McCasland specifically fails to solve the problem that is solved by the present invention: the present invention teaches the automatic generation of a repair task route optimized according to earlier reports concerning light fixtures in need of repair. McCasland, by stating that supervisor personnel that must figure out the work list, arguably teaches away from the present invention.

And while McCasland speculates that "triangulation could be integrated with site maps or CAD drawings on the portable device to provide a moving map of a facility with items requiring inspection highlighted on the map" (col. 4, lines 26-32), it is still left to the user to determine

Application No. 10/812,951

- 3 -

September 18, 2006

what route to take: McCasland fails to teach that an optimized repair task route can be generated by the system.

Later, McCasland describes "Dynamic Route Definition", which is dependent on five components: "machinery domain 702, specified inspection filters 703, selection criteria settings 704, user designations and assignments 705 and specified RCM Questions" (col. 13, lines 2-6). The system picks from a list of machinery for inclusion on an inspection route (col. 13, lines 8-10); however, McCasland does not teach how the machinery comes to be included in the machinery domain 702. The filters 703 allow the inspection route to be restricted to machines of certain classes (col. 13, lines 15-20). The selection criteria settings 704 allows for user-supplied information based on the type of route desired: a "Daily Route" or a "Downday Route", or based on due dates associated with tasks, which inferentially must be routes and due dates previously defined by the user (col. 13, lines 21-47). The user designations and assignments 705 defines which user may perform the inspection route (col. 13, lines 58-65). Specified RCM question and task component 706 allows for the selection of predetermined maintenance questions and tasks (col. 13, line 66 to col. 14, line 9). But the system of McCasland, while it may teach "Dynamic Route Definition", does not teach a repair task route.

In other words, while the applicant does not admit that the machinery of McCasland equates to the light fixtures of the present Application, even if we assume that the system of McCasland can apply to light fixtures, McCasland does not teach that a computer can "generate a maintenance report with an optimized repair task route, setting out the supplies that will be required, any special or unusual circumstances relating to specific fixtures 10, and the location of the circuit breaker which controls power to each fixture 10" (Application, paragraph 37, emphasis added). McCasland does not teach that a "computer 30 is programmed to establish a repair task route for fixtures 10 identified by the observer as being in need of repair, which is set out in a maintenance report 32 in the nature of a work order" (Application, paragraph 31, emphasis added). McCasland does not teach a "repair task route" that is "based on the locations of the light fixtures 10 corresponding to the bar codes scanned by the scanner 20 during an observation run" (Application, paragraph 31, emphasis added).

Application No. 10/812,951 .

- 4 -

September 18, 2006

While equipment in McCasland may be identified as "troubled" (col. 18, lines 65-67), there is no teaching that a repair task route may be separately, automatically generated to address only such "trouble" spots. In the system taught by McCasland, the actual path taken by a worker following an inspection route is not determined physical location as taught by the present invention; rather, the path in McCasland is determined only with reference to some predefined "machinery domain". Therefore, a person skilled in the art could not arrive at an optimized repair task route based on the physical locations of the items requiring attention; to suggest that McCasland would lead a skilled worker to such a conclusion is hindsight, because McCasland does not teach this conclusion. McCasland simply teaches that there is a predetermined list of equipment points for inspection; some or all of them in the predetermined list may be inspected, but only on a route that is predetermined when the points were initially defined in the McCasland system, and not on a route that is responsive to the actual reports of points actually in need of repair (see, for example, col. 24, line 14: McCasland states "[a]fter the section sequence has been determined", but does not teach that the system can determine a sequence based on a need for repair").

The applicant's understanding of the Office Action is that Lovoi is cited simply for the fact that "light fixture tags" are mounted on light fixtures. The applicant submits that the combination of Lovoi with McCasland is moot, given that McCasland fails to teach the claimed elements of the present Application.

As the remaining claim rejections are premised on McCasland as well, the applicant submits that the foregoing remarks are equally applicable to McCasland. Regarding Dolin, the applicant relies on the previous arguments submitted against Dolin (see applicant's Response dated February 6, 2006). For example, in Dolin all maintenance of the system is effected from a single central control terminal, and there is no physical association of labels with fixtures. Dolin thus teaches a completely different system having a completely different purpose, and a person skilled in the art would not be motivated to combine Dolin with McCasland. The applicant submits that additional modification by Beller or Benson is further moot, as neither reference adds the lacking element to McCasland—there is still no generation of a repair task route as that taught by the present invention.

Application No. 10/812,951

- 5 -

September 18, 2006

The applicant thus submits that the independent claims are patentable, and thus all claims are allowable. Favorable reconsideration and allowance of this application are therefore respectfully requested.

A Petition for an Extension of Time requesting an extension of two months for filing the subject response is enclosed. The Commissioner is authorized to charge any deficiency or credit any overpayment in the fees for same to our Deposit Account No. 500663. A signed copy of this page is enclosed if required for this purpose.

Executed at Toronto, Ontario, Canada, on September 18, 2006.

R. CLARK JEFFERY



David M. Reive
Registration No. 38,792
(416) 971-7202, Ext. 243
Customer Number: 38735

Encl. Petition for Extension of Time (in duplicate)